

Town of North Hempstead



Chairman
David L. Mammina, R.A., A.I.A.

Vice Chairman
Donal McCarthy, Esq.

Members
Paul Aloe, Esq.
Leslie Francis, Esq.
David I. Levine, Esq.
Secretary
Jonathan P. Fielding, Esq.

Board of Zoning Appeals

210 Plandome Road
Manhasset, NY 11030
(516) 869-7667
Fax (516) 869-7812

NOTICE OF DECISION

APPEAL #20073 - Chunyip Tsui – variances 70-40.A, 70-41.A, and 70-208.F to construct additions to a non-conforming dwelling within a required side yard setback and a portico within a required front yard setback; W/side 50 Beechwood Ln., 188.70' S/of Laurel Dr., New Hyde Park, Sec. 8, Blk. 308, Lot 26, R-B District.

WHEREAS, an application (15-107149) was filed with the Board of Zoning Appeals and a public hearing was held following due notice. That at a meeting of the Board held on **NOVEMBER 5, 2015**, the appeal in the above entitled matter was decided as follows:

GRANTED, of the dimension and in the location shown on drawings prepared by Michael Zampini, R.A., dated October 24, 2015.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Levine Seconded by: Vice Chairman McCarthy
Aye: Member Levine, Member Francis, Vice Chairman McCarthy, Chairman Mammina
Nay: None.
Absent: Member Aloe



JONATHAN P. FIELDING
SECRETARY

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NOTICE OF DECISION

APPEAL #20081 – TD Bank, variances 70-203.T(2)(a)[5] & 70-203.T(2)(h) to construct a bank with drive-through facilities separate from the main structure having insufficient vehicle standing space; NW/cor #1301 Northern Blvd. & Plandome Rd., Manhasset, Sec. 3, Blk. 53, Lots 1, 2, 440, 640, 840, 940 & 946, B-A District.

WHEREAS, an application (15-107806) was filed with the Board of Zoning Appeals and a public hearing was held following due notice; and

WHEREAS, the Board has determined that the appeal was a Type II action for the purposes of the State Environmental Quality Review Act, pursuant to section 617.5(c) (7) of the SEQRA regulations, and that no further review pursuant to SEQRA is required; therefore, at a meeting of the Board held on **NOVEMBER 5, 2015**, the appeal in the above entitled matter was decided as follows:

GRANTED, of the dimension and in the location shown on drawings prepared by Joseph A. Deal, P.E., dated May 22, 2015 and drawings prepared by Douglas Joel Cohen, R.A., dated September 3, 2015.

This application is subject to site plan review before the Town Board pursuant to § 70-219 of the Town Code and this Approval is subject to any and all conditions and modifications adopted by the Town Board.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Vice Chairman McCarthy Seconded by: Member Aloe
Aye: Member Levine, Member Aloe, Vice Chairman McCarthy, Chairman Mammina
Nay: None.
Absent: Member Francis



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NOTICE OF DECISION

APPEAL #20082 - Greg Schenendorf, variance 70-100.2.A(4) to maintain fencing exceeding the permitted height; S/side 136 Reid Ave., 468.11' E/of Mackey Ave., Port Washington, Sec. 5, Blk. 89, Lot 41, R-C District.

WHEREAS, an application (15-108201) was filed with the Board of Zoning Appeals and a public hearing was held following due notice. That at a meeting of the Board held on **NOVEMBER 5, 2015**, the appeal in the above entitled matter was decided as follows:

DENIED.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Aloe

Seconded by: Member Francis

Aye: Member Levine, Member Francis, Member Aloe, Vice Chairman McCarthy,
Chairman Mammina

Nay: None.



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NOTICE OF DECISION

APPEAL #20085 - iPark Lake Success LLC, variance 70-202.1(c) to construct a fence and retaining wall exceeding the permitted height; S/E/cor. 1111 Marcus Ave., and Lakeville Rd., Lake Success, Sec. 8, Blk. B-18, Lot 300H, I-A District.

WHEREAS, an application (15-108108) was filed with the Board of Zoning Appeals and a public hearing was held following due notice, and

WHEREAS, the Board has determined that the appeal was a Type II action for the purposes of the State Environmental Quality Review Act, pursuant to section 617.5(c) (7) of the SEQRA regulations, and that no further review pursuant to SEQRA is required; therefore, at a meeting of the Board held on **NOVEMBER 5, 2015**, the appeal in the above entitled matter was decided as follows:

GRANTED, of the dimension and in the location shown on drawings prepared by John Edward Wehrum, III, P.E., dated September 4, 2015.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Francis Seconded by: Member Aloe
Aye: Member Levine, Member Francis, Member Aloe, Vice Chairman McCarthy,
Chairman Mammina
Nay: None.



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NOTICE OF DECISION

APPEAL #20086 - SFR Realty Associates, LLC/Five Below, Inc., 70-121.B, 70-196.J(1)(b) and 70-196.J(1)(f) to alter a commercial building creating a retail space with insufficient number of loading zones, and to install a sign exceeding the permitted area and height above grade; N/E/cor. #697 Hillside Ave. & Stewart Ave., New Hyde Park, Sec. 8, Blk. K-9, Lot 44, B-A & R-C Districts.

WHEREAS, an application (15-108329) was filed with the Board of Zoning Appeals and a public hearing was held following due notice, and

WHEREAS, the Board has determined that the appeal was a Type II action for the purposes of the State Environmental Quality Review Act, pursuant to section 617.5(c) (7) of the SEQR regulations, and that no further review pursuant to SEQRA is required; therefore, at a meeting of the Board held on **NOVEMBER 5, 2015**, the appeal in the above entitled matter was decided as follows:

GRANTED, with respect to the variances from §§70-121.B and 70-196.J(1)(b), of the dimension and in the location shown on drawings prepared by Robert J. Sargenti, Jr., R.A., dated December 22, 2014 and revised through May 1, 2015, and with respect to the variance from §70-196.J(1)(f), to the extent that the height above grade of the proposed "Five Below" sign shall not exceed the height above grade of the proposed "Old Navy" sign depicted on a drawing prepared by Kieffer & Co., Inc. dated February 10, 2015, **SUBJECT TO THE FOLLOWING CONDITION:**

the sign shall not be illuminated after 11:00 p.m.

No building permit shall be issued until the Applicant submits drawings signed and sealed by a Registered Architect or Professional Engineer that comply with the terms of this decision.
The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Vice Chairman McCarthy Seconded by: Member Aloe
Aye: Member Levine, Member Aloe, Vice Chairman McCarthy, Chairman Mammina
Nay: None.
Absent: Member Francis



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AMENDED NOTICE OF DECISION

APPEAL #19647 - Carle Place Water District (Owner)/New York SMSA Limited Partnership d/b/a Verizon Wireless (Applicant), variance 2-9.R to install a temporary monopole; S/side 578 Mineola Ave., 206' W/of Carle Rd., Carle Place, Sec. 10, Blk. 32, Lot 21, I-B District.

Whereas, an application was filed with the Board of Zoning Appeals and a public hearing was held following due notice; and whereas a review was undertaken pursuant to the State Environmental Quality Review Act and the Board of Zoning Appeals, on December 11, 2013, established itself as Lead Agency and determined that this Unlisted Action will not result in any significant adverse environmental impacts; and decided this matter at its meeting held on December 11, 2013, and whereas, a written request for an amendment of this decision was filed with the Board seeking to continue the use of the temporary monopole for additional time while the rehabilitation of the water tower is completed, at a meeting of the Board held on **NOVEMBER 5, 2013**, the appeal in the above entitled matter was amended as follows:

GRANTED of the dimension and in the location shown on drawings prepared by Neil A. McDonald, R.A., dated August 28, 2013 and revised through October 10, 2013, until the rehabilitation of the water tower is completed, but in any event for a period of time not to exceed one year from the date of this amended decision.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Levine Seconded by: Vice Chairman McCarthy

Aye: Member Levine, Member Aloe, Vice Chairman McCarthy, Chairman Mammina

Absent: Member Francis



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